

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN JAMES WALSH,

Defendant.

CR 17-23-M-DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation on August 13, 2020. (Doc. 148.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnel Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommends that the Court accept Martin James Walsh’s guilty plea after Walsh appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to two counts of distribution of methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, as set forth in the Second Superseding Information. (See Doc. 140.)

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 148) IN FULL.

Accordingly, IT IS FURTHER ORDERED that Martin James Walsh's motion to change plea (Doc. 138) is GRANTED, and Martin James Walsh is adjudged guilty to Counts I and II as set out in the Second Superseding Information.

DATED this 28th day of August, 2020.



Dana L. Christensen, District Judge
United States District Court